

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TYRONE NOEL NUNN,

Case No. 3:23-cv-00602-MMD-CLB

Plaintiff,

ORDER

v.

MCDONALD'S,

Defendants.

Pro se Plaintiff Tyrone Noel Nunn brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 4), recommending that the Court dismiss this action for Nunn’s failure to pay the filing fee or file a fully complete IFP application in compliance with this Court’s November 30, 2023 order (ECF No. 3). Nunn had until January 22, 2024 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Baldwin recommends dismissing this action because Nunn has failed to timely comply with the Court’s prior order to either submit an IFP application or pay the full filing fee, and the relevant factors weigh in favor of dismissal. (ECF No. 4 at 1-2.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

1 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
2 No. 4) is accepted and adopted in full.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to enter judgment accordingly and close this case.

5 DATED THIS 29th Day of January 2024.

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MIRANDA M. DU
9 CHIEF UNITED STATES DISTRICT JUDGE
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